



General Assembly

Amendment

January Session, 2013

LCO No. 5257

SB0089805257SR0

Offered by:

SEN. BOUCHER, 26th Dist.

SEN. BYE, 5th Dist.

To: Senate Bill No. 898

File No. 74

Cal. No. 129

***"AN ACT CONCERNING CHANGES TO CERTAIN STATUTES
AFFECTING THE DEPARTMENT OF EMERGENCY SERVICES AND
PUBLIC PROTECTION."***

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsections (f) to (j), inclusive, of section 46b-140 of the
4 general statutes are repealed and the following is substituted in lieu
5 thereof (*Effective from passage and applicable to commitments and orders*
6 *entered on or after said date*):

7 (f) If the court further finds that its probation services or other
8 services available to the court are not adequate for such child, the court
9 shall commit such child to the Department of Children and Families in
10 accordance with the provisions of section 46b-141. Prior to making
11 such commitment, the court shall consult with the department to
12 determine the placement which will be in the best interest of such
13 child.

14 (g) Any child or youth coming within the jurisdiction of the court,
15 who is found to be mentally ill, may be committed by said court to the
16 Commissioner of Children and Families and, if the court convicts a
17 child as delinquent and finds such child to be mentally deficient, the
18 court may commit such child to an institution for mentally deficient
19 children or youth or delinquents. No such commitment may be
20 ordered or continued for any child who has attained the age of twenty.
21 Whenever it is found that a child convicted as delinquent or adjudged
22 to be a member of a family with service needs would benefit from a
23 work-study program or employment with or without continued school
24 attendance, the court may, as a condition of probation or supervision,
25 authorize such child to be employed for part or full-time at some
26 useful occupation that would be favorable to such child's welfare, and
27 the probation officer shall supervise such employment. For the
28 purposes of this section, the limitations of subsection (a) of section 31-
29 23 on the employment of minors under the age of sixteen years shall
30 not apply for the duration of such probation or supervision.

31 (h) Whenever the court commits a child to the Department of
32 Children and Families, there shall be delivered with the mittimus a
33 copy of the results of the investigations made as required by section
34 46b-134. The court may, at any time, require from the department in
35 whose care a child has been placed such report as to such child and
36 such child's treatment.

37 (i) If the delinquent act for which the child is committed to the
38 Department of Children and Families is a serious juvenile offense, the
39 court may set a minimum period of twelve months during which the
40 child shall be placed in a residential facility operated by or under
41 contract with said department, as determined by the Commissioner of
42 Children and Families. No such commitment may be ordered or
43 continued for any child who has attained the age of twenty. The setting
44 of such minimum period shall be in the form of an order of the court
45 included in the mittimus. For good cause shown in the form of an
46 affidavit annexed thereto, the Department of Children and Families,
47 the parent or guardian of the child or the child may petition the court

48 for modification of any such order.

49 (j) Except as otherwise provided in this section, the court may order
50 that a child be (1) committed to the Department of Children and
51 Families and [, after consultation with said department, the court may
52 order that the child] be placed directly in a residential facility within
53 this state and under contract with said department, or (2) committed to
54 the Commissioner of Children and Families for placement by the
55 commissioner, in said commissioner's discretion, (A) with respect to
56 the juvenile offenders determined by the Department of Children and
57 Families to be the highest risk, in the Connecticut Juvenile Training
58 School, if the juvenile offender is a male, or in another state facility,
59 presumptively for a minimum period of twelve months, or (B) in a
60 private residential or day treatment facility within or outside this state,
61 or (C) on parole. No such commitment may be ordered or continued
62 for any child who has attained the age of twenty. The commissioner
63 shall use a risk and needs assessment classification system to ensure
64 that male children who are in the highest risk level will be placed in
65 the Connecticut Juvenile Training School."

This act shall take effect as follows and shall amend the following sections:

Sec. 501	<i>from passage and applicable to commitments and orders entered on or after said date</i>	46b-140(f) to (j)
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